

Remarks:

Reconsideration of the application is requested.

Claims 1-23 remain in the application. Claims 1, 3, 4, 6, 7 and 23 have been amended. A marked-up version of the claims is attached hereto on separate pages.

In item 3 on page 2 of the above-identified Office action, claim 7 has been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner states that the phrase "said wall sections slide along..." confuses the scope of the claim as regards whether the invention is a product or a process of using a product.

Claim 7 is directed to a product according to the present invention. The claim has been revised to positively recite structure together with its function. Thus, the claim now recites, inter alia, that "said wall sections and said protrusions are resiliently disposed along said lateral borders." Other process type language has been deleted for clarity. In considering the Examiner's remarks, applicant also has amended claims 3, 4, and 6 to recite positive

structural components or structural arrangements, and delete process type language where appropriate.

Support for these changes in claim 7 may be found on page 22, lines 1-16 of the specification of the instant application. The other changes only involve changes in grammar or form.

It is accordingly believed that the claim 7 meets the requirements of 35 U.S.C. § 112, second paragraph. The above noted changes to the claims are provided solely for the purpose of clarity and satisfying the requirements of 35 U.S.C. § 112. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

In item 5 page 3 of the above-identified Office Action, claims 1-7 and 23 have been rejected as being anticipated by Hoss (U.S. Patent No. 6,279,754) under 35 U.S.C. § 102(e).

The rejection has been noted and the claim 1 and 23 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in original claim 3 and on page 5, lines 16-18 of the specification of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a combination of a multi-part housing and a locking device for locking a first housing part having an opening and a second housing part to one another, in which

the opening in the first housing part forms a slot-shaped opening defining a longitudinal direction;

a locking element inserted in the opening of the first housing part, said locking element is configured to be movable between a locking position and an unlocking position; and

the locking element is disposed in the slot-shaped opening of the first housing and displaceable in the longitudinal direction between the locking position and the unlocking position.

The Hoss reference discloses a latching apparatus for releasably securing a component of a computer system to a computer housing. Figs. 3a and 3B show the apparatus in an actuated and an unactuated position, respectively. A rack cabinet frame 10 has rails 12 through which holes 16 extend. A latching apparatus 40 releasably secures the computer to the housing. The apparatus extends through face plate 63 and opening 16 and has a spring collet 42 and a cam lobe 44 for interacting with the spring collet which has a shoulder 52 and a locking notch 50. When the cam lobe is turned it causes shoulder 52 to capture the rail 12 and secure the apparatus in position. Hoss does not disclose a slot-shaped opening in

which a locking element is disposed in a form-locking manner and is displaceable in a longitudinal direction of the slot between a locking and an unlocking position. There is no suggestion to provide a slot-shaped opening in the housing. The openings in Hoss all provide for a secure and firm connection between the computer component and the housing. There is no room or tolerance for intentional movement of the computer component secured in place. Using a slot shaped opening in Hoss would defeat the purpose of Hoss to provide a secure connection between the computer and the housing.

Clearly, Hoss does not show a housing part with a slot-shaped opening defining a longitudinal direction, or a locking element disposed in the slot-shaped opening of the housing and displaceable in the longitudinal direction between a locking position and a unlocking position, as recited in claims 1 and 23 of the instant application. In considering the Examiner's comment that no particular structure is defined by functional language, it is respectfully pointed out that the aforementioned features are claimed as structural limitations in claims 1 and 23, either as structure per se or as structure having a particular function, in accordance with accepted U.S. Patent Practice. Such claim limitations should be given patentable weight in analyzing the claims.

In item 5 page 3 of the above-identified Office Action, claims 1-7 and 23 have been rejected as being anticipated by Coules (U.S. Patent No. 3,836,704) under 35 U.S.C. § 102(b).

While the Examiner has cited the Coules '704 reference, from the Examiner's discussion of Coules it is apparent that he is referring instead to Coules U.S. Patent No. 4,007,516. Therefore, applicant's remarks will be directed to the '516 Coules reference.

Coules discloses a quarter turn locking fastener having a socket 11 which is adapted to snap into engagement in an aperture 12 formed in the chassis C. This is accomplished by enlargements 14 on flexible wings 13 retaining the socket in the aperture. When socket 11 is press fit into the aperture the flexible enlargements retract to permit the socket to pass through and then return to their normally open position and retain the socket snugly in place. A stud part 31 anchors a panel P spaced apart from the chassis C. Coules does not disclose the use of a slot shaped opening in a housing nor does Coules disclose a locking element that engages the slot-shaped opening and is displaceable between a locking and an unlocking position.

Clearly, Coules does not show a housing part with a slot-shaped opening defining a longitudinal direction, or a locking

element disposed in the slot-shaped opening of the housing and displaceable in the longitudinal direction between a locking position and a unlocking position, as recited in claims 1 and 23 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 23. Claims 1 and 23 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

Finally, applicant appreciatively acknowledges the Examiner's statement that claims 8-22 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicant respectfully believes that rewriting of claims 8-22 is unnecessary at this time.

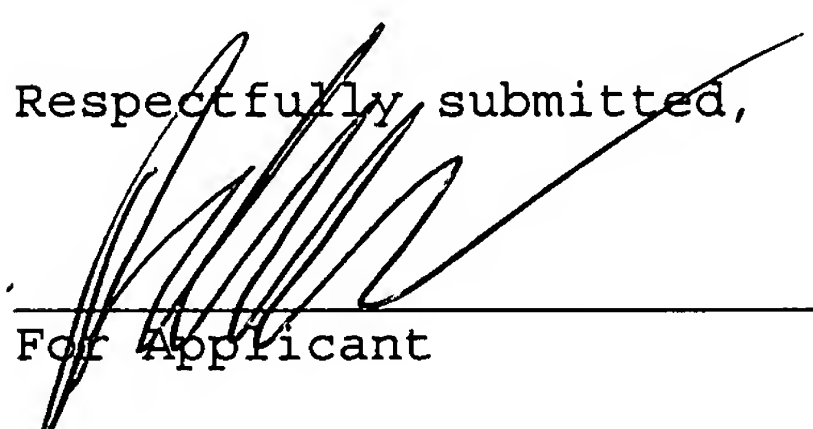
In view of the foregoing, reconsideration and allowance of claims 1-23 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$110.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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Application No. 10/006,432

Version With Markings to Show Changes Made:

Claim 1 (Amended). In combination with a multi-part housing configured to accommodate electric components and electronic components, the multi-part housing having a first housing part and at least a second housing part, the first housing part having an opening formed therein and being connectable to the second housing part, the opening in the first housing part being a slot-shaped opening defining a longitudinal direction, a device for locking the first housing part and the second housing part to one another, the device comprising:

a locking element [inserted into the] being shaped for and disposed in the slot-shaped opening [of the first housing part], said locking element being configured to be movable between a locking position and an unlocking position;

said locking element, [if] in the locking position, connecting the first housing part to the second housing part in at least one of a form-locking and a force-locking manner;

said locking element, [if] in the unlocking position, releasing a connection between the first housing part and the second housing part; and



a blocking element connected to said locking element, said blocking element blocking said locking element from being adjusted at least in the locking position.

Claim 3 (Amended). The device according to claim 1, wherein:

[the opening in the first housing part is a slot-shaped opening defining a longitudinal direction,] the slot-shaped opening has lateral borders extending substantially parallel to one another;

[said locking element is disposed in the slot-shaped opening of the first housing part in a form-locking manner and said locking element is displaceable in the longitudinal direction;]

said locking element has given parts configured to be in contact with sections of the lateral borders; and

said blocking element [brings] operably disposes said given parts of said locking element into force-locking abutment against the sections of the lateral borders of the slot-shaped opening [of the first housing part].

Claim 4 (Amended). The device according to claim 3, wherein:

the first housing part has an outer wall; and

said locking element has an actuating surface adjacent to the outer wall of the first housing part and has a sliding and arresting body [reaching] extending through the slot-shaped opening [of the first housing part].

Claim 6 (Amended). The device according to claim 5, wherein:

said wall sections of said sliding and arresting body are configured to be movable perpendicularly to the longitudinal direction; and

said blocking element is disposed in said locking element and, in the locking position, [brings] operably disposes said sliding elements of said wall sections into force-locking abutment against the lateral borders of the slot-shaped opening [in the first housing part].

Claim 7 (Amended). The device according to claim 6, wherein:

said wall sections of said sliding and arresting body have latching protrusions; and

said locking element is configured such that, when said sliding and arresting body is [plugged into the] disposed in

the slot-shaped opening [of the first housing part], said wall sections and said protrusions are resiliently disposed [slide] along the lateral borders of the slot-shaped opening[, and such that once said latching protrusions are overcome], said locking element is connected to the first housing part in a form-locking manner and said sliding elements butt against the lateral borders of the slot-shaped opening.

Claim 23 (Amended). A multi-part housing configuration, comprising:

a first housing part and at least a second housing part, said first housing part having an opening formed therein and being connectable to said second housing part, said opening in said first housing part being a slot-shaped opening defining a longitudinal direction;

a locking element [inserted into] disposed in said slot-shaped opening [of said first housing part], said locking element being configured to be movable between a locking position and an unlocking position and being displaceable between the locking position and the unlocking position;

said locking element, [if] in the locking position, connecting said first housing part to said second housing part in at least one of a form-locking and a force-locking manner;

said locking element, [if] in the unlocking position,  
releasing a connection between the first housing part and the  
second housing part; and

a blocking element connected to said locking element, said  
blocking element blocking said locking element from being  
adjusted at least in the locking position.